



IAP13 Rec'd PCT/PTO 09 FEB 2007

PCT/ 3731

Atty. Docket No: 2797 (203-3175 PCT US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Russell Heinrich

EXAMINER: Michael T. Andersen

SERIAL No.: 10/510,451

GROUP: Art Unit 3731

FILED: October 4, 2004

DATED: February 7, 2007

TITLE: **SURGICAL STAPLER AND METHOD**

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL FORM

Sir:

Transmitted herewith is an Amendment in the above-identified application.

☐ Applicant claims small entity status of this application under 37 C.F.R. 1.27☐ No additional fee is required.

The fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA	RATE	ADDL. FEE		RATE	ADDL. FEE
TOTAL	* 75	MINUS	** 74	= 1	x 25=	\$		x 50=	\$50.00
INDEP.	* 6	MINUS	*** 6	= 0	x 100=	\$	OR	x 200=	\$
					x 180=	\$		x 360=	\$
					TOTAL	\$ 0.00		TOTAL	\$50.00

☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS

* If the entry in Column 1 is less than the entry in Column 2, write "0" in Column 3.

** If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" in this space is less than 20, write "20" in this space.

*** If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" in this space is less than 3, write "3" in this space. The "HIGHEST NUMBER PREVIOUSLY PAID FOR" (Total or Independent) is the highest number found from the equivalent box in Column 1 of a prior amendment or the number of claims originally filed.

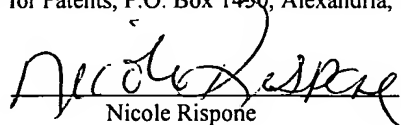
01 FC:1615

50.00 DA

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Dated: February 7, 2007


Nicole Rispono

- ☒ Please charge Deposit Account No. 21-0550 in the amount of \$50.00. Two (2) copies of this sheet are enclosed.
- ☐ A check in the amount of \$ is enclosed.
- ☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 21-0550. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 21-0550 therefor. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,



Francesco Sardone

Reg. No.: 47,918

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Russell Heinrich **EXAMINER:** Michael T. Andersen
SERIAL NO.: 10/510,451 **ART UNIT:** 3734
FILED: October 4, 2004 **DATED:** February 7, 2007
FOR: **SURGICAL STAPLER AND METHOD**

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT "A"

Sir/Madam:

In response to the Office Action mailed on December 11, 2006, Applicant respectfully requests that the above-identified application be amended as follows:

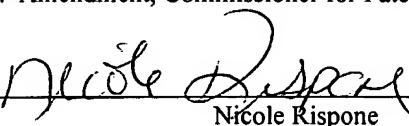
Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 22 of this paper.

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Dated: February 7, 2007


Nicole Rispone